

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Approval of an Extension to a Cost Share Agreement in Conjunction with Contract #SJ456AA Between the St. Johns River Water Management District and Seminole County for the Lake Monroe Restoration - Midway Regional Stormwater Facility Project

DEPARTMENT: Public Works

DIVISION: Engineering

AUTHORIZED BY: Gary Johnson

CONTACT: Mark Flomerfelt, P.E.

EXT: 5709

MOTION/RECOMMENDATION:

Approve and authorize the Chairman to execute an Extension to a Cost Share Agreement in conjunction with Contract #SJ456AA between the St. Johns River Water Management District and Seminole County for the Lake Monroe Restoration - Midway Regional Stormwater Facility Project.

District 5 Brenda Carey

Jerry McCollum

BACKGROUND:

An existing Cost Share Agreement with the St. Johns River Water Management District related to the Midway Regional Stormwater Facility will expire on November 5, 2008. The proposed eight-month extension, to July 5, 2009, maintains the County's eligibility for reimbursement of construction costs for this project (subledger # 00241701). The time extension offsets delays in starting the construction to allow for additional coordination with State agencies; specifically:

- with Florida Department of Environmental Protection representatives regarding the land lease for the Regional Stormwater Facility and site clean-up activities, and
- with representatives of the Florida Department of Transportation (FDOT) to reduce construction costs by utilizing the excavated fill material from the State Road 415 Embankment Project.

Seminole County modified the project plans to meet the land lease and clean-up requirements, advertised and awarded the Midway Regional Stormwater Facility and the FDOT State Road 415 Projects together for construction. The combined construction of the two (2) projects will save approximately \$2.9 million dollars. Construction is anticipated to begin early this fall and is expected to be completed in the fall of 2009.

STAFF RECOMMENDATION:

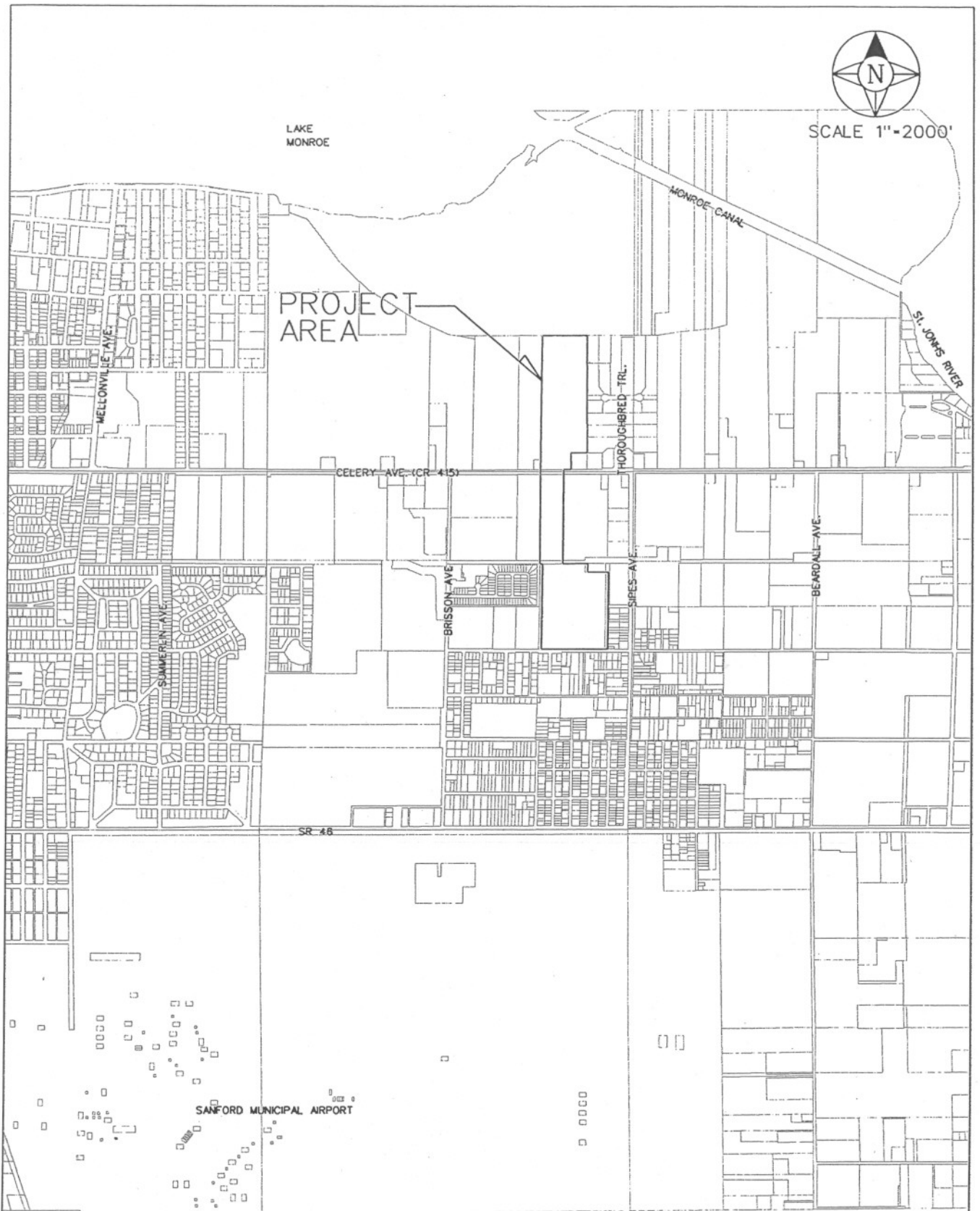
Staff recommends that the Board approve and authorize the Chairman to execute the Extension to a Cost Share Agreement in conjunction with Contract #SJ456AA between the St. Johns River Water Management District and Seminole County for the Lake Monroe Restoration - Midway Regional Stormwater Facility Project.

ATTACHMENTS:

1. Location Map
2. Extension to Cost Share Agreement -Contract #SJ456AA-Midway Regional Stormwater Facility

Additionally Reviewed By:

- ☐ County Attorney Review (Susan Dietrich)
- ☐ Budget Review (Fredrik Coulter, Lisa Spriggs)
- ☐ Grant Review (Jennifer Bero, Lisa Spriggs)



**MIDWAY REGIONAL STORMWATER
& RECREATIONAL FACILITY**

LOCATION MAP

**FIGURE
D-3**

Project No.
22001.10

EXTENSION TO COST SHARE AGREEMENT BETWEEN THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND SEMINOLE COUNTY
FOR LAKE MONROE RESTORATION - MIDWAY REGIONAL STORMWATER FACILITY

THIS EXTENSION TO AGREEMENT is made this _____ day of, _____, 2008, by and between the ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, whose address is 4049 Reid Street, Palatka, Florida 32117, hereinafter referred to as DISTRICT, and SEMINOLE COUNTY, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as COUNTY.

W I T N E S S E T H:

WHEREAS, the DISTRICT and COUNTY have heretofore entered into a certain Agreement dated July 5, 2006, for water quality treatment, flood reduction and other stormwater improvements associated with the Lake Monroe Restoration - Midway Regional Stormwater Facility; and

WHEREAS, said Agreement will expire by its terms on November 5, 2008; and

WHEREAS, it is the desire of the parties hereto to extend for eight (8) months, through July 5, 2009, the terms of said Agreement, together with all other covenants and obligations therein contained,

NOW, THEREFORE, for and in consideration of the covenants and agreements hereinafter set forth, the parties agree as follows:

1. Notwithstanding anything contained in the Agreement to the contrary:

(a) The term of the Agreement shall be extended for eight (8) month(s), from November 5, 2008 through July 5, 2009, unless terminated sooner as provided for therein.

(b) The provisions set forth in the DISTRICT's Change Order are attached hereto and incorporated herein as Exhibit "A".

2. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect for the term of this Extension Agreement, as originally set forth in said Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this instrument as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

ST. JOHNS RIVER WATER MANAGEMENT
DISTRICT

By: _____

KIRBY B. GREEN III
Executive Director

Date: 8/6/08

Approved by the Office
Of General Counsel

STANLEY J. NIEGO

Senior Assistant General Counsel



ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____

BRENDA CAREY, Chairman

Date: _____

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

For the use and reliance
of Seminole County only.
Approved as to form and
legal sufficiency.

As authorized for execution by the Board
of County Commissioners at its _____,
20____, regular meeting.

County Attorney

SED/sb

07/23/08 8/4/08

P:\Users\Sberrie\Sdietch\Extension Agreement Between Sjrwm & Sc.Doc

Attachment:

Exhibit "A" - District Change Order



St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at www.sjrwmd.com.

CHANGE ORDER

DATE: July 10, 2008

TO: Mark Flomerfelt
Seminole County
177 Bush Loop
Sanford, Florida 32773

FROM: Regina Lovings Morse, Work Order/Project Manager

RE: CONTRACT/PURCHASE ORDER NUMBER: SJ456AA

Change Order Number 1 to Work Order Number N/A

CONTRACT NAME: Lake Monroe Restoration - Midway Regional Stormwater Facility

PROJECT NAME: Lake Monroe - Midway Regional Facility

ACCOUNT NUMBER: 60-42-55-6330-8301-04009

CHANGE ORDER IMPACTS: The District entered into a Cost Share Agreement on July 5, 2006 for Lake Monroe Restoration - Midway Regional Stormwater Facility. The request for an eight month time extension of the Cost Share Agreement between the District and Seminole County will not impact any other projects. The Statement of Work shall remain the same. The project area watershed currently drains into lake Monroe, which is included on the Section 303 (d) list of impaired water bodies for nutrients and dissolved oxygen. There are two principle objectives of the project. Objective 1: Provide stormwater treatment to a 22-acre site along Celery Avenue by constructing two to four wet detention ponds to serve as a Regional Stormwater Facility. Objective 2: Retrofit the existing drainage infrastructure in the vicinity of the project area and construct facility to accommodate additional drainage areas for future retrofits and provide treatment for areas without any existing forms of treatment facilities.

JUSTIFICATION FOR EXTENSION (if applicable): The justification for this no cost time extension change order is to offset time delays in starting construction due to: 1) additional coordination with Florida Department of Environmental Protection in the land lease and clean-up activities and 2) coordination with Florida Department of Transportation (FDOT) to reduce construction costs by utilizing the excavated fill material on SR415 embankment project. Seminole County modified project plans to meet the land lease and clean-up requirements and will advertise both the Midway Regional Stormwater Facility project and the FDOT SR415 together for bids. The construction of these two projects together is expected to save over \$3 million dollars. Construction is expected to start in late summer. Construction is expected to require 242 days and be completed by July 5, 2009.

GOVERNING BOARD

David G. Graham, CHAIRMAN JACKSONVILLE	Susan N. Hughes, VICE CHAIRMAN PONTE VEDRA	Ann T. Moore, SECRETARY BUNNELL	W. Leonard Wood, TREASURER FERNANDINA BEACH
Douglas C. Bournique VERO BEACH	Michael Ertel OVIEDO	Hersey "Herky" Huffman ENTERPRISE	Arlen N. Jumper FORT MCCOY
			Hans G. Tanzler III JACKSONVILLE



St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

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SCHEDULE/WORK ORDER AMOUNT IMPACTS:

☒ Extend the completion date from November 5, 2008 to July 5, 2009 (impact on schedule: 242 days)

☐ The completion date of _____ will not be affected by this change order.

☒ The amount will not be affected by this change order.

Approved: Kirby B. Green III
Kirby B. Green III, Executive Director

Date: 7-15-08

Acknowledged: Mulford
Seminole County

cc: Procurement Working/Purchasing File
Financial Management

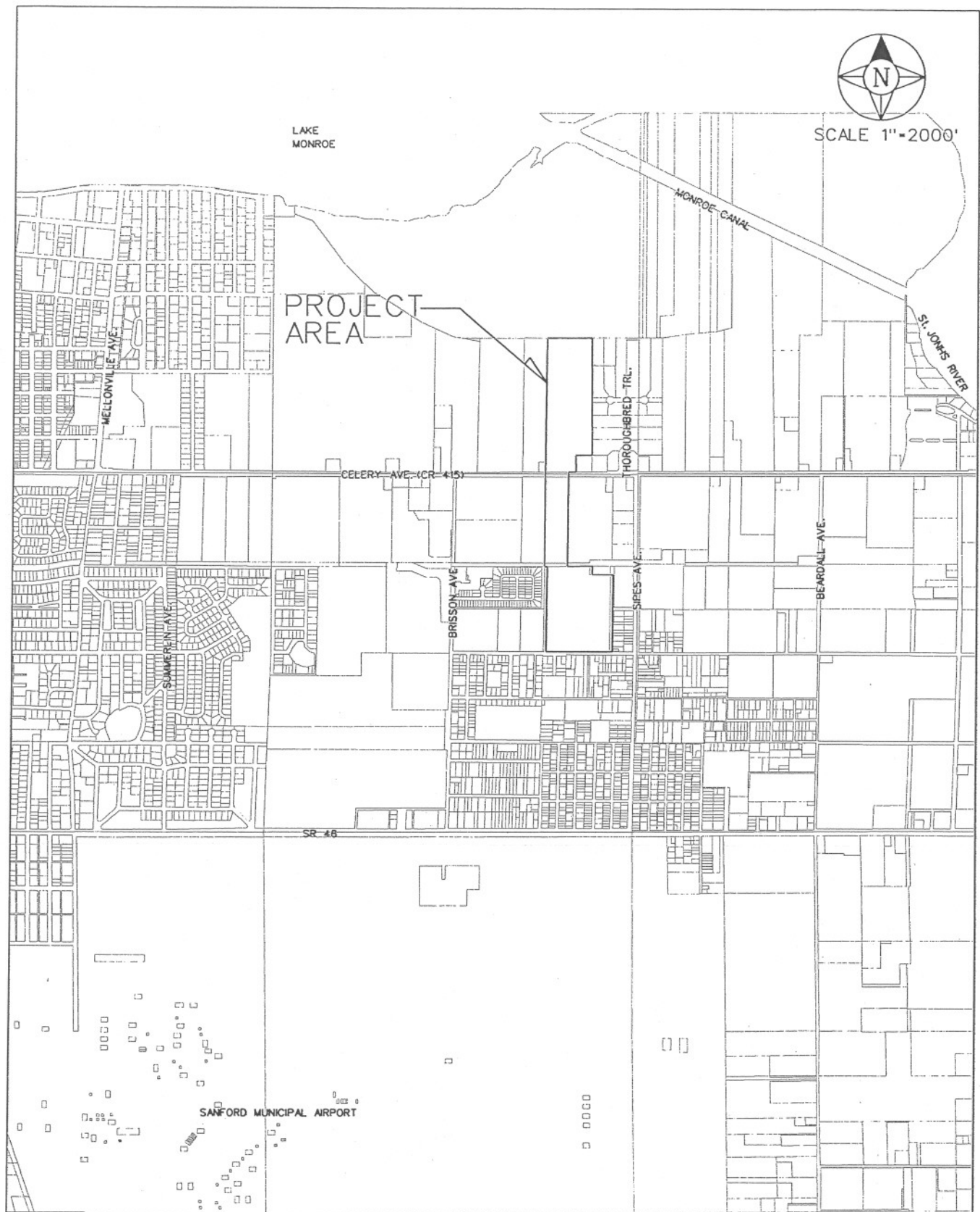
Original Amount.....	\$ 2,200,000.00
Total Additions / Deductions to-date...	\$ 0.00
Amount of this Change	\$ 0.00
Revised Amount	\$ 2,200,000.00

Date: 7/30/08

111207

GOVERNING BOARD

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**MIDWAY REGIONAL STORMWATER
& RECREATIONAL FACILITY**

LOCATION MAP

**FIGURE
D-3**

Project No.
22001.10